

OGC Has Reviewed

Approved For Release 2002/01/30 : CIA-RDP82-00357R000600040003-3

Home Leave File

1. Request for use of balance of home leave in previous tour be used for emergency return due to death of mother. Denied on basis of having previously received home leave. Suggested advance of annual leave if needed.

STATINTL

2. Request for home leave after 20 months [REDACTED] Tour was 18 months raised to 24 because of improved living conditions. Other personnel were approved for home leave after 18 months. Subject not technically qualified for waiver of qualifying time but requested because of previous overseas tours at hardship posts. OGC said subject didn't serve 24 months so didn't qualify. Asserted home leave statue is specific: may be granted only after served continuously abroad 24 months. Office has consistently ruled there is no basis for exception except for cover or operational needs. (Hardship not a factor.)

STATINTL

[REDACTED]  
more lenient, i.e., does not require reimbursement of return travel to U. S. after home leave or for terminal travel to U. S. if employee not violated agreement and served at least 6 months since returning from home leave. OCS said long its opinion that neither extension of overseas tour or granting home leave interrupts continuous service in applying employee's agreement. Thus, if employee serving abroad 24 months return to U. S. for home leave and then to field is not required to execute new overseas agreement. In this case, employee not served 6 months abroad after home leave before field resignation. Since [REDACTED] requires refund unless waived by D/Pers, think it appropriate case for his attention.

STATINTL

4. Subject accompanying husband (employee) to overseas post at convenience of Govt. had to resign within 6 months of home leave. Wife desired overseas employment (contractual or staff) to be determined after arrival. OGC asserted:

STATINTL

a. In memo dated 1961, it has consistently held that neither extensions of tours nor lateral transfers were considered new tours for purpose of extracting overseas agreements and enforcing payment of travel payments upon failure to complete entire period. Crystallized as policy [REDACTED] stating: expenses of travel and transportation incident to appointment or transfer from [REDACTED] → post to overseas shall not be allowed unless employee agrees in writing → to remain at post not less than one <sup>1/2</sup> or more than three years prescribed in advance by D/Pers unless separated for reasons beyond control of employee and acceptable to D/Pers. If agree violated 1st year, expenditures to be reimbursed. If violated after first year, return travel at Govt. expense shall not be allowed.

STATINTL

b. Memo dated March 1959, it makes no difference rather tour is 1st or 2nd. OCS stated in October 1955 memo to D/Pers it asserted

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PL600 does not allow exception for repayment provisions for employees with previous overseas service. Obligation to comply with agreement is in compliance with PL600. We note case involved PCS transfer one overseas post to another. Another overseas agreement is inappropriate. 2nd tour is but a continuation of period of overseas service in 1st. Liability of travel expenses would not be among results of failure to remain in 2nd post for full tour.

5. OGC concluded neither extension of tour or granting of home leave interrupts period of continuous service in applying terms of employee's overseas service agreement.

6. Subject returned to U. S. after two consecutive overseas tours. He took home leave but hasn't been paid HSTA. He retired within 6 months after EOD after home leave but hired as contractor for another O/S Tour. OGC ruled not indebted for home leave and D/Pers should authorize HSTA, based on opinion: when man's service (whatever form) is unbroken, seem reasonable that he allowed benefits earned by previous service. Request he be allowed waiver of home leave repayment and payment of HSTA was approved by D/Pers was allowed.

Invitee Travel

1. Memo from D/Pers to DD/Pers/R&P June 1966 deleg authority to reimburse EOD Travel for 42 job titles, basic qualifications being CLK. (gen) as "hard to get."

2. Memo for the Record, Reimbursement Guidelines for Office of Personnel EOD's (Officers) by ExO/OP, 14 October 1966.

Travel Benefits for Personnel Retired Overseas

STATINTL  
1. [REDACTED] provide for transportation of HHE to place of residence for employees retired while assigned overseas. Applies to either CIA or CSC retirement. Memo from D/Pers to C/CIA Retirement Staff asked for study on ground rules for applying [REDACTED] and suggest processing procedures (which might extend their return but not deny travel benefits).

STATINTL  
2. OCS on June 1965 said entitlement [REDACTED] applies to retirements while assigned overseas. In the case a person was returned PCS before retirement OGC ruled against transportation of HHE.

Foreign Travel

STATINTL  
1. Agency no authority to reimburse [REDACTED] travel expenses of an employee returning from overseas [REDACTED] emergency leave (the to Congressman letter from Leg C, Sept. 1965.

Home Leave

25X1C4a      OGC 67-0661 - OGC perceived no objection to an establ. of a policy with respect to particular areas, based on a policy establ. by [REDACTED]

[REDACTED]  
opinion in 28 Aug. 1963 OGC 63-2577. Also, OGC 67-0624a, 5 April 1967 (tours per area or category of employee).

OGC 63-2577 - Overseas Differentials and Allowances Act, 6 Sept. 1960, made available to Agency and Gov't. generally a home [REDACTED]

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